IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO.30 OF 2006

Mr.Eknath Narayan Thakur .. Petitioner

Versus

Prakash Narayan Thakur & Ors. .. Respondents

Mr.Suhas M. Oak for petitioner

Mr.N.V.Bandivadekar for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 24th February 2006.

P.C.

. Mr.Oak brings to my notice the reply given by respondent No.1 to the application of petitioner for condoning the delay in filing

civil appeal. He invites my attention to para 3 of the reply where a specific plea is raised that even before the trial court, petitioner failed to appear, though represented by a lawyer. The lawyer even did not avail of the opportunity of cross examining the witnesses.

2. In my view, I have also considered this plea while passing the order which is sought to be reviewed. It is not as if that the aforesaid plea being considered that the petitioners have failed to make out sufficient cause. Therefore, this is not a case where review jurisdiction can be exercised. Review petition is disposed of.

(S.C.DHARMADHIKARI, J)